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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA,)

12 Plaintiff,)

13 v.)

14 LEONARD HEATH,)

15 Defendant.)
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No. CR 16-0044 WHA

STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING COMPETENCY HEARING

Honorable William H. Alsup

On March 1, 2016, the Court issued an order granting the unopposed motion of undersigned counsel for Defendant Leonard Heath for a competency evaluation for Mr. Heath. *See* Order (Docket #13) (filed Mar. 1, 2016). That order set a competency hearing for April 26, 2016. *See id.* The parties have learned that Mr. Heath just arrived at the BOP facility outside the district for his competency evaluation this week. As such, the facility has indicated that it will not have sufficient time to complete the evaluation and have Mr. Heath returned to the district by April 26, 2016. Instead, the facility has indicated that a realistic date for the hearing would be May 24, 2016. Accordingly, the parties stipulate and jointly request that the competency hearing scheduled for April 26, 2016, be continued to May 24, 2016, at 2:00 p.m. The parties further stipulate and jointly request that the status conference set for April 5, 2016, be vacated. Finally the parties stipulate and jointly request that time under the Speedy Trial Act be excluded through May 24, 2016, pursuant to 18 U.S.C. § 3161(h)(1)(A).

IT IS SO STIPULATED.

BRIAN STRETCH
United States Attorney

DATED: 3/30/14

_____/s/_____
BRIAN FAERSTEIN
Assistant United States Attorney

DATED: 3/30/14

_____/s/_____
DANIEL P. BLANK
Assistant Federal Public Defender
Attorney for Leonard Heath

IT IS SO ORDERED.

DATED: April 1, 2016.



WILLIAM H. ALSUP
United States District Judge